

Regarding General Section: major life activities definitions: Given that this rule concerns travel, we seek comment on whether ``traveling'' should be added to the standard list of ``major life activities'' that is part of the definition of ``individual with a disability.''

RESPONSE: We agree that "Traveling" should be added to the list of major life activities under the definitions section of the rule.

Regarding Section 382.15 Do Carriers Have To Make Sure That Contractors Comply With the Requirements of This Part?  
The Department seeks comment on this aspect of the section. In addition, the Department also seeks comment on whether there should be additional or specific requirements added to this section concerning on-line travel agencies (e.g., web sites that provide schedule and fare information and ticketing services for many air carriers).

RESPONSE: Travelers with or without disabilities make use of the internet for all aspects of air travel from ticketing and scheduling to flight confirmations and general information. We believe the websites for airlines, including airports and their various contractors, agents or subcontractors who provide services on behalf of the airlines or airports should be accessible to people with disabilities and follow Section 508 accessibility standards. We also believe that airport maps should be accompanied with text maps to increase accessibility and mobility by travelers with disabilities.  
<http://www.ci.austin.tx.us/austinairport/textmap.htm>

Regarding Section 382.23 May Carriers Require a Passenger With a Disability To Provide a Medical Certificate?

We seek comment on whether it would be helpful to refer to this documentation in Sec. 382.23.

RESPONSE: Yes, please refer to the specific documentation requirements for emotional support animals in the section 382.23.

Regarding Section 382.43 Must Information and Reservation Services of Carriers be Accessible to Individuals With Hearing and Vision Impairments?  
The Department seeks comment on whether these standards should be modified in any way in the airline web site context and on whether there are any other standards--domestic or foreign--that would also be appropriate.

RESPONSE: We believe that Section 508 Standards of the Rehabilitation Act of 1973 provides a sufficient framework to make websites accessible to travelers with disabilities. Since many websites use PDF formats for a variety of information pertinent to travelers, we request that all PDF documents be accessible to people who may use screen readers or whenever PDF documents are used, a text or HTML version of the document be made equally available.

Regarding Section 382.43 Must Information and Reservation Services of Carriers be Accessible to Individuals With Hearing and Vision Impairments?

The Department seeks comment on whether the final rule should include a requirement that carrier web sites that allow passengers to request special services should also permit passengers to request accommodations for disabilities. Such a capability would have to be accessible to visually-impaired persons and other users with disabilities.

RESPONSE: We think that allowing travelers with disabilities to identify accommodations to meet specific needs is a good way to customize services. The system would need to be accessible to people with disabilities. The system should allow travelers with disabilities to request notification if a substantially smaller plane is substituted for the original aircraft. Some travelers with disabilities cannot travel on small airplanes and desire the choice to change carriers.

Regarding Section 382.45 Must Carriers Make Copies of This Rule Available to Passengers?

The Department seeks comment on whether there should be greater specificity in this requirement and suggestions for how, if at all, the rule should define the scope of this obligation.

RESPONSE: A general statement that reads that a copy of the ACAA rule is available in alternate formats for travelers and is available upon request would be sufficient to meet this obligation.

Regarding Section 382.51 What Requirements Must Carriers Meet Concerning the Accessibility of Airport Facilities?

The Department seeks comment on whether this time frame is feasible.

RESPONSE: We think this is a reasonable time frame for compliance.

Regarding Section 382.51 What Requirements Must Carriers Meet Concerning the Accessibility of Airport Facilities?

The Department seeks comment on the accessibility of these devices. In terms of approachability, height of screens and controls, location of slots for credit cards and dispensing of boarding passes, are kiosks sufficiently accessible to passengers with mobility impairments? Is use of the devices accessible to persons with mobility or vision impairments? Should the final ACAA rule contain specific accessibility requirements for them and, if so, what should the requirements be?

RESPONSE: We prefer that all electronic ticketing kiosks that provide this critical service be accessible. Electronic ticketing kiosks that are considered "free-standing" should incorporate the accessibility features in the current ADAAG standards for Automated Teller machines and the features in the 508 standards requiring audio output options and tactile labels for input control. For electronic ticketing kiosks that are considered "built in features" standards under the Proposed ADAAG/ABA standards should be used with the inclusion of 508 audio output and tactile labels. Regardless of whether the kiosk is "built in" or freestanding, if it's a point of service, it needs to be as accessible as practicable for the widest range of users. Currently, some airlines offer employee help if a passenger is unable to use kiosks because of accessibility. Such help is not equivalent service as it requires a person to stand in line twice—once to find out that he or she can't use the kiosk, the second time to wait for employee help. We also agree with the Access Board's section on 508 for self contained closed products provisions which requires independent access for persons with hearing or vision impairments and that machines be within specified reach ranges.

Regarding Section 382.61 What Are the Requirements for Movable Aisle Armrests? The Department seeks comment on this issue.

RESPONSE: We agree to deleting this exception to the rule since it has a history of causing confusion which has led to some classes of service with a lack of movable armrests.

Regarding Section 382.67 What Is the Requirement for Priority Space in the Cabin To Store Passenger Wheelchairs?

The NPRM seeks comment on whether the rule text should codify this policy or whether the rule should require a closet in each aircraft (or, at least, each new aircraft) that is capable of accommodating a passenger's folding wheelchair.

RESPONSE: The policy that is currently being utilized should be codified in the new rule, however we believe that having a closet space available for one folding passenger's wheelchair would not cause an undue burden for air carriers'.

Regarding Section 382.91 What Assistance Must Carriers Provide to Passengers With a Disability in Moving Within the Terminal?

We also seek comment on whether it would be reasonable to place limits on this obligation (e.g., should the requirement apply to individuals other than those with mobility impairments?).

RESPONSE: We believe requiring assistance with luggage is important for travelers with disabilities who have difficulty carrying luggage. However, specifying certain disabilities may be impractical, so the requirement may need to be written generally. We believe that airport personnel should continue escort people who are blind or visually impaired through the airport terminal.

Regarding Section 382.95 What Are Carriers' General Obligations With Respect to Boarding, Deplaning, and Connecting Assistance?

The Department seeks comment on whether this requirement should be more specific (e.g., by including a time frame, like 10 or 15 minutes or by requiring that carriers ensure that deplaning assistance is provided to passengers with disabilities who will use an aisle chair for deplaning no later than the time that the aircraft aisle is clear of other passengers, such that the aisle chair can be brought to the passenger's aircraft seat). Our objective is to address situations in which passengers who need assistance in deplaning have been left on board aircraft for an unreasonable length of time.

RESPONSE: We think the language that deplaning assistance is provided no later than the time that the aircraft aisle is clear of other passengers is adequate.

Regarding Section 382.141 What Training Are Carriers Required To Provide for Their Personnel?

The Department seeks comment on the application of this proposed requirement to foreign carriers.

RESPONSE: If the foreign carriers flights use US airports in either direction or as a stop-over, then the same training that is required of the

US airline employees and contractors should be required of the foreign carriers.

Regarding Section 382.145 What Must Carriers Incorporate in Their Manuals? We also seek comment on whether it would be beneficial for carriers to be required to submit certifications of compliance with this requirement to the Department.

RESPONSE: if the program compliance submission to DOT is deleted, we think it would be beneficial for carriers to submit certifications of compliance to the Department.

Regarding Changes to Appendix A--Guidance Concerning Service Animals The Department seeks comment on how best to address these issues.

RESPONSE: The issue of eating, drinking and elimination is also a problem for people who are not able to use the restroom facilities on board the aircraft for trans-Pacific or 14-18 hour flights. Most handlers of service animals organize feeding and watering to accommodate the flight time, but relief areas in airports has become more critical as security requires earlier arrival times.

Regarding Section 382.55 What Requirements Apply to Carriers' Security Screening Procedures

Response: We believe carriers that impose additional screening procedures should be required to make such processes accessible to travelers with disabilities and to explain how this is accomplished on their website.

Regarding Section 382.63 What Are the Requirements for Accessible Lavatories:

Response: We believe that the lack of accessible restrooms is a disincentive for lengthy travel by certain people with disabilities. We suggest that incentives be offered to encourage airlines to retrofit restrooms and that accessible restrooms should be required on airlines with more than one aisle.

Regarding Section 382.85 What Seating Accommodations Must Carriers Make to Passengers in Circumstances not Covered by Sec. 382.81 (a) Through (d)?

The existing language that Sec. 382.81(d) incorporates provides that the seating accommodation for a person with a fused or immobilized leg would be ``on the side of an aisle that better accommodates the individual's disability.'' The Department seeks comment on whether there have been any problems under this provision concerning passengers extending a leg into the aisle and interfering with service carts or pedestrians using the aisle. If there have been such problems, we seek comment on how to avoid them while still accommodating passengers in this situation. In addition, we note that by an ``immobilized'' leg, we mean one in which there is a severely limited range of motion in the knee, such that the passenger cannot flex the joint readily to any significant degree. We also seek comment on whether other seating accommodations should be added to fill gaps, if any, in the existing provision.

Response: Carriers should be required to interact with passengers with disabilities regarding seat assignment changes. For example, persons with a fused or immobilized leg might be accommodated in a bulkhead seat, or if the plane is not at capacity, in a row that has one or more empty seats. On the other hand, carriers should not unilaterally make a seat change for a person with a disability. For example, frequently carriers will change seat assignments of people with service animals to bulkhead seats without consulting the passenger. Many passengers with service animals dislike bulkhead.

Regarding Section 382.99 What Agreements Must Carriers Have With the Airports They Serve?

Response: We know that travelers with disabilities have experienced difficulties with accessible path of travel and lift entry in regional jets. We also know that persons traveling with service animals experience difficulty in space for animals on such jets, and frequently will not fly on such planes. A system is needed to require notification to passengers who request such if smaller planes are substituted.

Regarding Section 382.131 Do Baggage Liability Limits Apply to Mobility Aids and Other Assistive Devices?

Response: We believe spelling out these exceptions is useful. Liability needs to be clear for U. S. as well as foreign carriers.